

IN THE WATER COURT OF THE STATE OF MONTANA
UPPER MISSOURI DIVISION
WILLOW CREEK BASIN (41N)

CLAIMANT: Green Coulee Ranch; Shane L.
Berthelote; Jason R. Hanson; Tawna L. Hanson;

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CASE No. 41N-RA1

41N-153126-00 thru 41N-153152-00
41N-153154-00 thru 41N-153225-00

Notice of Motion to Amend Preliminary Decree of Statement of Claims

NOTICE TO USERS OF SIMMONS CREEK; LIMEKILN CREEK;
GREEN'S COULEE; McLAUGHLIN CREEK; MINER'S COULEE
SPRING COULEE; EARNEST COULEE;
POPLAR CREEK AND WILLOW CREEK
ALL LOCATED IN TOOLE COUNTY, MONTANA
(Pursuant to Section 85-2-233(6), MCA)

A Motion to Amend Preliminary Decree of Statement of Claims listed above has been filed with the Montana Water Court by Claimant Green Coulee Ranch to document pre-1973 water usage affecting priority dates, points of diversion, places of use, period of use, maximum water use permitted, means of diversion, and means of conveyance.

PROPOSED AMENDMENTS

This Motion to Amend proposes the following changes:

- 1) Flow rates would be changed to account for the natural and augmented sub irrigation along with ditch water spreading and irrigation prior to July 1973.
- 2) Volume would be changed to account for natural and augmented sub irrigation as well as ditch and water spreading irrigation.
- 3) Priority dates would be changed to the earlier of the date of filed water rights or actual use by the owners, their predecessors, agents, or employees and priority date of natural sub irrigation to first date of beneficial use after territorial water law adoption.
- 4) Place of use would be changed to reflect the larger area of claimant irrigated prior to July 1973.
- 5) Period of use would be changed for augmented and natural sub irrigation to year around.

A full copy of the motion to amend will be provided by counsel for Green Coulee Ranch and is available on the Notices and Information page of the Water Court's website. Direct any questions concerning these requested amendments to attorney Dale L. Keil

at phone: (406) 278-5420, address: 10857 Old Shelby Road, Conrad, MT 59425, or email: keillaw@3rivers.net.

RESPONSE OR OBJECTION FILING DEADLINE

Any response or objection to the Motion to Amend must be filed in Case Number 41N-RA1, Montana Water Court, P.O. Box 1389, Bozeman, MT 59771-1389. A copy of the response or objection must be served on Green Coulee Ranch, c/o Dale L. Keil, 10857 Old Shelby Road, Conrad, MT 59425. Any response or objection to the Motion to Amend must be filed within 45 days of the last publication of this notice. Therefore, the filing deadline is November 9, 2019.